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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,228	09/30/2003	Masaaki Okabayashi	393032041600	6380
<div>7590 David L. Fehrman Morrison & Foerster LLP 35th Floor 555 W. 5th Street Los Angeles, CA 90013</div>			<div>EXAMINER LAO, LUN S</div>	
			<div>ART UNIT 2615</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 11/27/2007</div>	<div>DELIVERY MODE PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/676,228

Applicant(s)

OKABAYASHI, MASAOKI

Examiner

Lun-See Lao

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. This action is in response to the amendment filed on 09-04-2007. Claims 1-4 have been amended and claim 5 has been canceled. Claims 1-4 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Stadius (US PAT. 4,635,288).

Consider claim 1 Stadius teaches a signal switching apparatus (see fig.2) comprising:

a plurality of mix buses(see fig. 2 (107));

a plurality of checking signal generating devices (96-99 in fig. 2) that generate checking signals different from each other (by using variable amplifier (96), equalization circuit (97) and variable resistor (99, fade);

a checking signal input device (104, switch card) that causes the checking signals generated by said plurality of checking signal generating devices (96-99) to be selectively input to respective desired buses (107 and see col. 5 line 31-col. 6 line 35);
and

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an input signal input device that causes an input signal to be input to any selected bus of said mix buses(see fig. 2 and see col. 5 line 31-col. 6 line 35).

Consider claims 2-4 Stadius teaches that a signal switching apparatus of the plurality of mix buses are grouped into a plurality of groups (see fig.2); and a signal switching apparatus of checking signal input device (see fig.2 (104)) comprises a selecting device that selects checking signals to be input to a group from among the plurality of checking signals, and wherein the checking signals selected by said selecting device are input to the mix buses belonging to the group (107 and see col. 5 line 31-col. 6 line 35); and a signal switching of said checking signal input device dedicates part of the plurality of checking signals to be input to the mix buses belonging to a predetermined group(107 and see col. 5 line 31-col. 6 line 35).

Response to Arguments

4. Applicant's arguments filed 09-04-2007 have been fully considered but they are not persuasive.

Applicant argued that Stadius does not disclose a signal switching apparatus having a plurality of checking signal generating devices and a checking signal input device, nor does not disclose the checking signal generating device and the checking signal input device with an input signal input device (see the remarks page 4 first paragraph).

The examiner disagrees. Stadius teaches a plurality of checking signal generating devices and a checking signal input device (96-99) for generating a plurality of checking signals different from each other such as, variable amplifier (96), equalization circuit

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(97) and variable resistor (99, fade). They are inherently checking the inputs signals, before they can adjust the signals. Because, when variable amplifier (96), equalization circuit (97) and variable resistor (99, fade) adjust the signals, the variable amplifier (96), equalization circuit (97) and variable resistor (99, fade) have to generate thresholds to detect the signals so that they can pull down the amplitude or pull up the amplitude.

Applicant further argued that the Examiner considers switch card 104 as meeting the checking signal input device of claim 1. (See, e.g., Office Action, at page 3.) However, there is no disclosure or suggestion that the switch card 104 causes a checking signal to be selectively input to respective desired mix buses as recited in claim 1. In Stadius, switching card 104 is merely a card for selecting a bus to receive an input signal(see the remarks page 4 3rd paragraph).

The examiner disagrees. Stadius teaches a checking signal input device (104, switch card) that causes the checking signals generated by said plurality of checking signal generating devices (96-99) to be selectively input to respective desired buses (107 and see col. 5 line 31-col. 6 line 35). However, the switch card 104 causes a checking signal to be selectively input to respective desired mix buses, because the switch card has to generates a threshold to check out the signals which one should switch on or off for each input signals. On the other hand, the microprocessor has an associated random access memory for storing signals representing the switching status of all the analogue switches of all the input channel routing selectors whereby to store signals representing a whole set or "patch" routing connections from all selected input channels to all selected sub-group channels and output channels.

Therefore, Stadius discloses "the checking signal generating device" and "the checking signal input device." It meets the limitation as recited.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Botzko (US PAT. 6,141,597) is cited to show other related signal switching apparatus and program.

7. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:
(571) 273-8300

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Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao,Lun-See
Patent Examiner
US Patent and Trademark Office
Knox
571-272-7501
Date 11-13-2007


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600